IL 71 Resistors Exhibit 2.0

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

ILLINOIS POWER COMPANY, d/b/a AmerenIP and AMEREN ILLINOIS TRANSMISSION COMPANY	)	
	)	Docket No. 06-0706
Petition for a Certificate of Public Convenience and Necessity, pursuant to Section 8-406 of the Illinois Public Utilities Act, to construct, operate and maintain New 138,000 volt electric lines in LaSalle County, Illinois.	)	

PREPARED TESTIMONY

OF

JOSEPH H. ABEL, AICP
ECONOMIC DEVELOPMENT CONSULTANT

ON BEHALF OF

ILLINOIS 71 RESISTORS

ILLINOIS COMMERCE COMMISSION

DOCKET NO. 06-0706

DIRECT TESTIMONY OF JOSEPH H. ABEL, AICP

Q. Will you please state your name and business address.

A. My name is Joseph H. Abel. My business address is 200 Forest Avenue, Glen Ellyn, Illinois 60137.

Q. What is your occupation?

A. I am a land use planning, zoning and economic development consultant. I prepare comprehensive plans, planning standards for zoning ordinances, and economic development programs to attract and retain industrial and commercial development for municipal and county clients. I also prepare site plans for residential, commercial, institutional and industrial developments and take them through the regulatory process for approval.

Q. Who is your current employer?

A. I am currently the President and Owner of Joseph H. Abel & Associates, a land use planning, zoning and economic development consulting firm. My firm has been retained by the Illinois 71 Resistors to provide expert testimony regarding my opinion, as a land use planner and economic development consultant, regarding the various routes proposed by AmerenIP for the Ottawa-Wedron transmission line that is the subject of the ICC Docket No. 06-0706.

Q. Please state your qualifications and background.

A. I hold a Bachelor of Science degree in City and Regional Planning with a minor in architecture from the University of Illinois (Urbana). I took additional graduate level courses at the Center for Urban Studies at the University of Chicago and am a graduate of the Economic Development Institute's three-year summer program at the University of Oklahoma. I am a member of the American Planning Association and its professional institute, the American Institute of Certified Planners. I have been a member of the American Institute of Planners and the American Society of Planning Officials and the merged American Plan Association since 1961 and have served in every capacity including President of the Chicago Metro Section and President of the Illinois Chapter of this professional organization. I have been a full member of the Urban Land Institute – an organization that deals with and use development research and studies, and Lambda Alpha – an International Honorary Land Economic Society.

I worked for a planning consulting firm in Chicago for eight years preparing comprehensive planning programs for municipalities and counties and land planning projects for private clients. I was a planner with the Lake County Illinois Regional Planning Commission for three years and Director of the DuPage County Regional Plan Commission and Director of the County Development Department for seventeen years. At DuPage County, I was responsible for establishing a new planning program in a rapidly growing county that increased in population from 492,000 in 1970 to 750,000 by 1987. I directed all phases of comprehensive land use, open space, and transportation planning; zoning enforcement and administration; economic development; and the

Community Development Block Grant program. I was the expert witness for the County on zoning cases. I directed a staff of 40.

I was the Executive Director of the Economic Development Commission of the City of Chicago for five years and was responsible for establishing the City's public/private partnership program to advise the Mayor on economic development issues. The work program included: identifying and evaluating the development potential of industrial park sites, preparing the City's strategic plan for economic development, assisting in the preparation of the industrial land use component of the comprehensive plan, conducting an ombudsman program to assist businesses, development the economic development advertising and marketing program, and establishing an International Trade Council to provide export assistance and foreign investments. The Commission had an annual budget of $1.3 million and a staff of 15.

Since 1992, I have been the President of Joseph H. Abel & Associates. The firm specializes in Land Use Planning, site Planning, Zoning, and Economic Development. Projects include comprehensive urban planning, central business district planning, park design, community development planning, land planning, park master planning, tax increment financing studies, health care facility planning, redevelopment studies, adaptive reuse studies, land use analyses, preparation of zoning and subdivision regulations, space needs analyses, zoning testimony and strategic planning for economic development to public and private clients.

I have also been an Adjunct Professor in the Master of Public Administration Program at Northern Illinois University, teaching courses on urban planning and zoning.

Q. What is the purpose of your testimony in this docket?

A. The purpose of my testimony is to make recommendations regarding Illinois Power Company's (AmerinIP's) Petition for a Certificate of Public Convenience and Necessity (CPCN), pursuant to Section 8-406 of the Illinois Public Utilities Act, to construct, operate, and maintain new 138 kV electric lines and associated facilities, to be located in LaSalle County, Illinois, and specifically, to recommend from a land use planning perspective which of the proposed routes implements the City of Ottawa's Comprehensive Plan and the LaSalle County Comprehensive Plan for development and therefore will be compatible with existing and proposed future land uses.

Q. How is a Comprehensive Use Plan developed and what significance does it have to your testimony in this matter?

A. For the purpose of this testimony, the following will explain the process that I and most planners go through in the preparation of a comprehensive plan so you will be in a better position to understand the importance the Ottawa Comprehensive Plan plays in coming to my conclusion that the green route proposed by AmerenIP is unacceptable because it totally disregards the Comprehensive Plan.

Basically, a comprehensive planning program is composed of three major segments of work – analysis, physical design, and effectuation. The analysis phase involves a complete inventory and analysis of those factors such as existing land use, population

characteristics, transportation facilities, and the community economic base, which in the past have accounted for and influenced the extent and character of the community's growth and development. Essentially, this is a process of examining both the good and bad elements of past development in order that existing positive qualities can be strengthened and detrimental features eliminated or minimized. Analysis of the background data contained in this part of the process is the basis for formulating a series of long-range planning goals to be attained by the comprehensive plan.

The design phase of the program is directed toward establishing a physical framework and standards for guiding future development towards achievement of the prescribed planning goals. The document developed in this phase of the planning program is the Physical Plan. The term Physical Plan should not be confused with the overall descriptive title of Comprehensive Plan. The Comprehensive Plan consists of all background studies on which the Physical Plan is based, the tools of implementation to be used in carrying out the planning program, and the Physical Plan itself. The Land-Use Plan sets forth in broad terms a land-use pattern which will create a compatible relationship between various privately and publicly held lands. One of the most important features of the Land-Use Plan is the compatible arrangement of the many uses within it. If a good working relationship is established among residential, commercial, industrial, and other land uses, the value of any single part of the plan is increased because it has become more fully integrated with the whole. The Thoroughfare Plan establishes a framework of traffic arteries by which the various categories of private and pubic land are inter-related and made accessible in accordance with their functions. The

Community Facilities Plan allocates land for various pubic services and facilities such as schools, parks, recreation and conservation areas, and other major public facilities in order to relate them to the areas they will serve.

The Physical Plan is intended as a guide for governmental bodies, such as the Illinois Commerce Commission, and individual citizens to promote future investments in a manner that will contribute to making the community a more desirable place in which to live and work. The degree of its success, in this respect, is dependent upon two factors: first, the practicality of the Plan and its constant update; and second, the support with which governmental agencies and the citizens give to the achievement of its recommendations.

The third phase of the comprehensive planning program, effectuation, is a broad classification encompassing legal devices available under Illinois statutes, programming and budgeting of capital improvements, and continuous planning. Legal tools available to implement the plan include zoning, which designates by districts the use and intensity of land development, and subdivision regulations that provide guidelines and standards for land development. An official map formalizing the location of streets, parks, school sites, and other public facilities is an additional tool but is only available for use by the municipalities. Continuous planning includes updating of the Comprehensive Plan and the day-to-day processing of planning matters. If the Comprehensive Plan is to be a guide for establishing new improvements, it should be subject to continuing review by the Planning Commission, and if future developments not anticipated at the time this plan

was prepared indicate a need for revision of any part of the plan presented herein, these new facts should be given consideration and the Comprehensive Plan updated in a manner which will best serve the changing needs of the community.

The Physical Plan designates the distribution of the various categories of land use for private, public, and semi-public development. In effect, the Physical Plan constitutes the recommendations for the use of land by the citizens for approximately the next ten years, or longer, depending on rate of growth. By guiding development through a plan for projected land use, future needs can be anticipated and planned for prior to their actual need. This will make less likely the establishment of an incompatible use within an area more suitable for other purposes.

Through a process of evaluating the economic potential, population forecasts, and other pertinent factors, an estimate can be made of lands needed for various uses. These needs are then compared with existing physical conditions, terrain, available transportation, present land-use patterns, soil conditions, traffic surveys, and other planning studies conducted by various state and federal agencies and are reflected in the Physical Plan. Thus the Physical Plan for guiding the location of future developments has been designed in such a way as to broaden the tax base, stabilize and enhance property values, and enhance the natural attractiveness of the community.

My study of the Ottawa Comprehensive Land Use Plan shows a substantially similar process was used in developing that document.

172
173 **Q.** What is the basis for your evaluation and recommendation?
174
175 **A.** First and foremost, I will rely on my education and my forty-seven years of experience in
176 the field of land use, zoning and economic development both in the public and private
177 sectors dealing with a variety of land use issues. I have reviewed AmerenIP's Petition for
178 CPCN, as well as the direct testimonies and accompanying exhibits of AmerenIP
179 witnesses Martin J. Hipple, Roger D. Nelson, Douglas R. Emmons, Jerry A Murbarger,
180 Roger Cruse, and Darrell E. Hughes. I have considered information obtained through
181 Intervener's interrogatories, and I have also reviewed many of the ICC staff
182 interrogatories and AmerenIP's responses. I have studied the Ottawa Illinois
183 Comprehensive Plan dated June 4, 2002; the Ottawa Comprehensive Plan – Future Land
184 Use Map Dated January 12, 2006, and Exhibit 10 Sub-Area Illinois Rt. 71 and I-80 Map;
185 the Comprehensive Plan of LaSalle County, Illinois, May, 1999; the LaSalle County
186 Zoning Ordinance – January, 2006; and a copy of the Fox River Woods Plan
187 Commission Presentation, February 19, 2007 report prepared by Lake Shore Investors.
188
189 In addition to the material listed above, I also reviewed several handbooks and textbooks
190 on electrical power systems as they relate to land use issues and controls. I have also
191 read the Illinois Commerce Commission Opinion Order dated October 23, 2002
192 regarding the Central Illinois Public Service Company (Ameren CIPS) Application 01-
193 0620. I have studied aerial photographs containing the proposed routes and on February
194 24 and March 24, 2007 I visited the area. During these visits, I traveled along the
195 proposed Green route and various portions of both alternate route #1 (the Brown route)
196 and alternate route #2 (the Red route). My inspection of these proposed and alternate

routes were primarily by vehicle. I have interviewed several of the landowners having property along the proposed route. The analysis contained in this testimony will focus on land use planning issues as they relate to the *reasonableness* of the proposed routing of the facilities.

Q. Please describe any exhibits you will refer to.

A. For purposes of this proceeding, my testimony will be referred to as Illinois 71 Resistors Exhibit No. 2. The documents referred to within my testimony will be identified as follows:

- Exhibit 2.1: Joseph H. Abel, AICP Biographical Data
- Exhibit 2.2: Ottawa Comprehensive Plan – Future Land Use Map Dated January 12, 2006
- Exhibit 2.3: Ottawa Comprehensive Plan, Exhibit 10, detailing Sub-Area Illinois Rt. 71 and I-80 Map
- Exhibit 2.4: Fox River Woods Development Map, showing various proposed land uses, as approved by the City of Ottawa

I will also refer to Paul Mixon Exhibit No. 1.1, which is an aerial photograph showing the various proposed routes.

Q. Please describe the facilities and routing options proposed by AmerenIP.

A. The proposed facilities relevant to this docket consist of a new 138 kV electric transmission line section which will terminate in a new substation. This 138 kV Transmission line would extend from a connection at the existing Ottawa Substation to a new Wedron Fox River Substation. This new substation will include a 138/34.5 kV transformer, and will supply the 34.5 kV subtransmission network which serves the Marseilles, Ottawa, and Wedron area. The proposed primary green route transmission

line would be approximately 9.20 miles in length and constructed on new 50/100 foot-wide casements. A detailed description of the proposed line route can be found in the direct testimony of Jerry A. Murbarger. His testimony also contains a description of the proposed facilities, including the pole heights, average span lengths, conductor type and configuration, and construction details for the various supporting structures. AmerenIP Exhibit 4.1 is a color map illustrating the routing of the proposed facilities and two alternate routes.

Q. What is your opinion regarding to the most reasonable route for the Ottawa—Wedron Transmission Line proposed by AmerenIP.

A. After considering AmerenIP's proposed primary route and comparing it with both alternate routes as well as various combinations of all three routes, I am of the opinion that the best routing for the proposed facilities is a *combination of the three (green, brown and red) routes*. For reasons discussed below, the best route would follow the proposed (green) route east out of the Ottawa Substation along the CSX Railroad ROW, to a point where the proposed (green) route first intersects with the 1st alternate (brown) route just west of the Fox River. The proposed transmission line would then follow the 1st alternate (brown) route north to the point where the brown route first intersects with the 2nd alternate (red) route. The line should then follow the 2nd alternate (red) route for the remainder of the distance to the site of the proposed Wedron Fox River Substation. (See IL Resistors Exhibit 1.1.)

In my opinion, this "combination" route is not only shorter than the primary (green) route, but more importantly it is the route that is the most compatible with both existing

and proposed land uses in the surrounding area and is not in conflict with recommendations contained in the Ottawa Comprehensive Plan and also the LaSalle County Comprehensive Plan which basically mirrors the City of Ottawa's Comprehensive Plan. For the remainder of my testimony, I will refer to this "combination" route as the IL 71 Resistors route.

Q How did you determine the IL 71 Resistors' route was superior to AmerenIP's proposed (green) route.

A I analyzed the three routes from the perspective of a land use planner and organized the basis for my opinion by utilizing the applicable criteria identified by AmerenIP in response to ICC Staff data request RDL 1.26 which stated: "Describe how each criterion AmerenIP employed for the line routing and citing evaluation was determined and how AmerenIP prioritized each criterion," AmerenIP witness Emmons responded with a set of routing criteria which included:

- Length of the line
- Difficulty and cost of construction
- Difficulty and cost of operation and maintenance
- Environmental Impacts
- Impacts on historical resources
- Social and land use impacts
- Number of affected landowners and other stakeholders
- Proximity to homes and other structures
- Proximity to existing and planned development
- Community acceptance
- Visual Impact
- Presence of existing corridors

The routing criteria that are relevant from the perspective of a land use planner are as follows: (i) the length of the line; (ii) environmental impacts[1]; (iii) impacts on historical resources; (iv) social and land use impacts; (v) number of affected landowners and other stakeholders; (vi) proximity to homes and other structures; (vii) proximity to existing and planned development; (viii) community acceptance; (ix) visual impact; and (x) the presence of existing corridors. I provide the basis of my opinion by addressing each of these criteria.

Comparison of Proposed (Green) Route with IL 71 Resistors Route

Q. Please discuss and summarize the results of your comparison of the two routes on the basis of "Length of the line."

A. According to AmerenIP Exhibit 4.3, the proposed (green) route is approximately 9.20 miles in length. Based upon AmerenIP Exhibit 4.1, AmerenIP's responses to IL 71 Resistors Data Requests 2-7 and 2-8, and examination of aerial photographs, the estimated length of the IL 71 Resistors route is approximately 8.45 miles or approximately ¾ of a mile shorter than the proposed (green) route. In general, assuming technical function is not at issue, from a land use planning perspective the less land impacted by utility corridors the better. With the shorter line, less land needs to be taken from private land owners. Thus, given the fact that the IL 71 Resistors' route is almost a mile shorter than that proposed by AmerenIP, the IL 71 Resistors' route is superior when compared on the basis of the length of the transmission line to be constructed.

[1] In this case, environmental impacts do not need to be addressed, as none of the routes pose a known material environmental impact. AmerenIP response to IL 71 Data Request 3-20.

305 **Q.** Please discuss and summarize the results of your comparison of the two routes on the
306 basis of "impacts on historical resources."
307 **A.** In contrast to the IL 71 Route, AmerenIP's proposed route would be located on a
308 sesquicentennial farm registered with the Illinois Department of Agriculture. The
309 Trumbo Farm, which is located north west of the I-80 and IL Rt. 71 intersection within
310 the "green" route, was recently registered into the Illinois Sesquicentennial Farms
311 Program in March of 2007. (Approximately ¼ mile of the transmission line proposed in
312 the green route will be on the Trumbo Farm.) As such, the State of Illinois has officially
313 recognized this property has being historically significant. Thus, on the basis of "impacts
314 on historical resources," in my opinion the preferred route is the IL 71 Resistors route
315 since it avoids this area.
316
317 **Q.** Please discuss and summarize the results of your comparison of the two routes on the
318 basis of "social and land use impacts."
319 **A.** The social and land use impacts of all land uses are addressed by the Ottawa
320 Comprehensive Plan. The purpose and intent of the Ottawa Comprehensive Plan is to
321 provide direction for decisions related to the future growth and development of the City
322 of Ottawa. The Plan provides the basis for rational decision-making, but does not replace
323 the decision-making process nor does it take the place of the City's Zoning and
324 Subdivision Ordinances and other ordinances regulating the use and development of land
325 in Ottawa. It establishes the community's intended vision for development and describes
326 policies, programs and projects that will enable the vision to be realized. The
327 Comprehensive Plan helps local officials coordinate their decisions so they can anticipate

how one decision may impact another. The Plan is also a key reference point and basis for establishing, amending and interpreting regulatory tools.

As a foundation for planning, goals for the community were formulated to guide the preparation of the Plan. Community goals are general statements that indicate the type of community that is desired. The development of goals and the implementation of policies are the keys to the success of the Comprehensive Plan.

Goals and objectives were formulated using recommendations for the future and information gathered from the community. These objectives and recommendations for future actions have been used to form each element of the plan.

Q. What area of land does the Ottawa Comprehensive Plan apply too?

A. The Ottawa Comprehensive Plan encompasses not only the geographic area included within the corporate limits, but is also specific in that it refers to land use patterns and development policies and strategies which will serve the community's future needs within the City's one and one-half mile extra-territorial zoning jurisdiction area. This area includes the key portions of both the IL 71 Resistors and AmerenIP's proposed routes.

Q. What is the key conflict between the Ottawa Comprehensive Land Use Plan and AmerenIP's proposed route.

A. AmerenIP's proposed route follows IL Rt. 71 up to and across I -80 interstate. The I-80 and IL Rt. 71 intersection is very important and forms a major gateway into Ottawa (See Exhibit 2.3). What happens to the area surrounding the ramps and the stretch of Illinois Route 71 that leads into Ottawa is a concern to the City of Ottawa. The land use that has been designated for this area is mainly residential with a few pockets of commercial and civic uses located along IL Rt. 71. An area along both sides of IL Rt. 71 has been designated as a "highway greenbelt" that is a part of this major gateway into the City. This area should have a significant buffer or setback from IL Rt. 71 (See Exhibits 2.2 and 2.4). The purpose of the highway greenbelt and gateway designation is to create a key symbolic entrance into the City. At this gateway, the quality and character of both the public right-of-way and private development will be considered. Streetscape elements such as landscaping, lighting, public signage, entry monuments, and pavement materials are important considerations. Similarly, the quality of development in the gateway area must be given special attention to enhance visual quality. In my opinion, developing a "China Wall" effect of transmission towers does not enhance the visual quality of this gateway corridor.

Based on my review of the Ottawa Illinois Comprehensive Plan, it is my opinion that the preferred route is the IL 71 Resistors' route since it will have the least number of social and land use impacts on adjoining residential land uses. Furthermore, the AmerenIP's proposal to place the transmission line along IL Rt. 71 is in complete contradiction with Ottawa's intent to utilize the I-80 and IL Rt. 71 intersection as its main entrance into town with a "greenbelt" area defined along IL Rt. 71. Moreover, it is likely that IL Rt. 71

will be increased in size as Ottawa grows. (This has already occurred on IL Rt. 71 in the Oswego and Yorkville communities.) This will require even a larger set back for the proposed transmission line, further compromising the development and greenbelt intended by the Comprehensive Land Use Plan in this area.

Q. Please discuss and summarize the results of your comparison of the two routes on the basis of "number of affected landowners and other stakeholders."

A. According to AmerenIP Exhibit 4.3, the proposed green route would impact approximately 77 landowners and 116 parcels of land. AmerenIP's responses to the IL 71 Resistors' 4th set of data requests, including IL 71 Resistors' 4-9, Attachment A, indicate that the IL 71 Resistors' route would impact approximately 82 landowners and 139 parcels of land. Although these numbers are approximately equal, the impact to the homes along the green route will be greater because they are not currently impacted by an existing utility corridor. Because the vast majority of the IL 71 Resistors' route is along Railroad ROW, the impact to those homes and structures will be much less than those on the green route proposed by AmerenIP. When taking into consideration the number of land owners affected and the extent of the impact, the Illinois 71 Route is superior to that proposed by Ameren IP.

Q. Please discuss and summarize the results of your comparison of the two routes on the basis of "proximity to homes and other structures."

A. AmerenIP Exhibit 4.3, part 13 shows a comparison of the different types of structures within 200 feet of the centerline of the proposed (green) route and the two alternate

routes. Based upon AmerenIP's responses to the IL 71 Resistors' 4th set of data requests, including IL 71 Resistors' 4-9, Attachment A, the data shows that the number of occupied houses within 200 feet of the centerline of the IL 71 Resistors' route is almost twice that of the proposed (green) route. The total number of structures impacted by the IL 71 Resistors' route is approximately 288, while the proposed green route would impact approximately 212 structures. It is significant, however, that many of the structures impacted along the IL 71 Resistors route are campsites, cabins, and other seasonal shelters. To the extent more significant structures will be impacted, the impact will be less than those along the green route because many along the route proposed by IL 71 Resistors are already impacted by an active railroad right of way. Based upon the information available at the present time, on the basis of "proximity to homes and other structures," in my opinion the evaluation of this single criterion slightly favors the proposed (green) route.

Q. Please discuss and summarize the results of your comparison of the two routes on the basis of "proximity to existing and planned development."

A. The vast majority of the IL 71 Resistors' route follows the CSX and the IL Railnet R.R. ROW. The most likely *future use* of the 6.6 miles of railroad ROW that the IL 71 Resistors route parallels is to *continue* to use this land as railroad ROW. Therefore, it is unlikely that placing the transmission line at this location will impact the use of land adjoining the railroad right of ways. To the extent that land is already impacted by the presence of another utility (railroad), much of the impact to future development and existing utility or uses has already taken place.

The proposed (green) route would have a major negative impact on the new Fox River Woods Development (See Exhibit 2.4), which is a 400 acre mixed-use planned development located southwest of the intersection of IL State Rt. 71 and Interstate 80, and east of the Fox River. The proposed development, which was recently approved by the City of Ottawa, will contain approximately 1,200 dwelling units and 40 areas of commercial uses. The proposed (green) route would parallel IL Rt. 71 for a distance of approximately one mile along the eastern border of this planned development, including all main entrances and possibly a new elementary school site. The Ottawa, Illinois Comprehensive Plan dated January 12, 2006 designates this area as being part of Sub-Area 2. (See Exhibit No. 2.2)

According to the Comprehensive Plan, "sub-areas were chosen because of their special or unique community development issues and their importance to the City of Ottawa." The plan also designates both sides of IL Rt. 71 in this area as a "highway green belt". Having access to Interstate 80 will be very important for the Fox River Woods development, and this entire area is a major gateway into the City of Ottawa. Moreover, in the event the "green" route is approved, it is my understanding from discussions I had with developers that it may very well jeopardize the Fox River Woods development will not go forward. Such an event would be a devastating economic blow to the surrounding community.

Based on my forty-seven years of experience in dealing with land use issues, there is no doubt in my mind that properties affected by nuisance land uses such as utility transmission lines, whether they are residential, commercial, or agricultural are likely to see slower property growth and development, or even property value degradation relative to similar properties that are not affected by nuisance type land uses. When a nuisance affects residential properties, it can reduce quality of life, perceived risk to health or safety of the residents, or limit future investment in the property. It is clear that, in terms of the impact on existing and planned development, there will be a *much greater amount of private harm along the proposed (green) route.* On the basis of "proximity to existing and planned development," in my opinion the most reasonable and preferred route is the IL 71 Resistors route.

Q. Please discuss and summarize the results of your comparison of the two routes on the basis of "Community acceptance."

A. The public involvement process for developing Ottawa's Comprehensive Plan included a detailed study of the community's needs and expectations. An Image Preference Survey and a Visioning Questionnaire were conducted as part of the public involvement process at the onset of the planning process. The Image Preference Survey is a tool used to help the community to identify preferred forms and appearances of development. The Questionnaire was made up of questions asking community preferences for the future of Ottawa. The purpose of the Image Preference Survey and Visioning Questionnaire are to forge a consensus about choices affecting the future. The images (and their associated scores) are indications of core community values and the vision citizens have for Ottawa

in the future. From this vision, principles to guide future growth and (re)development strategies and decisions can be derived.

Two Charrettes or design workshops were also conducted. The purpose of the Charrettes are to involve everyone in intensive, collaborative workshops with the intention of getting community direction concerning the shape, form, location and appearance of the community's future development.

The recommendations contained in the Comprehensive Plan regarding the residential developments along both sides of the IL Rt. 71 corridor and the development of a highway greenbelt and a gateway along this corridor into Ottawa are a direct result of this extensive public involvement process.

On the basis of "community acceptance," in my opinion the preferred route is clearly the IL 71 Resistors route. The (green) route would directly conflict with the clear public intent to develop the IL Rt. 71 gateway into Ottawa.

Q. Please discuss and summarize the results of your comparison of the two routes on the basis of "Visual Impact."

A. As explained in the direct testimony of AmerenIP witness Murbarger (p. 6, line 114), the pole heights for the proposed facilities will range from 75 to 105 feet above ground. He also states that all angle structures will be designed with massive concrete foundations. These concrete foundations will be so large they will require no guy wires or anchors.

Regardless of which route is taken, utility poles of this height will be visible from quite some distance away, and will result in some amount of visual impact.

Useful information concerning the overall visual impact of these facilities can be gained by examining AmerenIP Exhibit 4.3, part 10. This is a listing of the different types of existing right-of-way (ROW) corridors encountered or paralleled by each route. This exhibit also shows the total distance that each route is adjacent to these various existing corridors. The IL 71 Resistors route, which is a combination of the proposed route and both alternate routes, is not represented in Exhibit 4.3. According to Exhibit 4.3, the proposed facilities (green route) parallel existing road ROW for 4.5 miles, much of which is along Highway 71. The IL 71 Resistors route would parallel existing road ROW for approximately 1.1 miles. As for existing railroad ROW, the proposed facilities (green route) would parallel this type of ROW for 1.9 miles, while the IL 71 Resistors route would parallel existing railroad ROW for approximately 6.6 miles.

All things considered, given the choice between following existing railroad corridors for a total distance of 6.6 miles across mostly rural uninhabited countryside versus following existing roadway corridors a distance of 4.5 miles, including significant distance along the major gateway route into the City of Ottawa, the visual impact will be substantially less along the existing railroad ROW.

As discussed in the previously referenced CIPS case, the proposed construction would create externalities since the primary (green) route transmission facilities will run

adjacent to a major proposed residential community (Fox River Woods). Such externalities will affect not only the property crossed by the facilities, but all property within the vicinity of the facilities. The viability of the proposed Fox River Woods property will be degraded as the facilities will inevitably create restrictions on current and future uses of the land, and residents within the proposed development and in the area surrounding the facilities will be forced to live with them as part of their immediate landscape. These residents should not be required to bear the burden of such externalities absent a compelling pubic need for identifiable benefits that can be realistically expected from the facilities.

On the basis of "Visual Impact," in my opinion the preferred route is the IL 71 Resistors route.

Q. How does the presence of existing corridors affect your opinions as to the most reasonable route for the proposed transmission line?

A. The IL 71 Resistors route, which is comprised primarily of the "red" route, follows an existing active rail road right of way. Given that railroad right-of-ways are a type of utility land use, the IL 71 Resistors' proposed route will be place within a corridor already established for utilities. In stark contrast, the "green" route will form a new corridor for utilities that will impact land previously unencumbered by the affects of being located near or adjacent to a utility corridor. Therefore, this criteria strongly favors IL 71 Resistor's preferred route.

Q. Please summarize the basis for your opinion that the IL 71 Resistor's preferred route is far superior to that proposed by AmerenIP.

A. The IL 71 Resistors' route is preferred because (i) it is consistent with Ottawa's Comprehensive Land Use Plan to develop the Gateway to Ottawa, a "highway greenbelt" and residential developments in the area where AmerenIP proposes to place the transmission line; (ii) IL 71 Resistors' route is being placed primarily in an existing utility corridor instead of creating a new utility corridor impacting miles of land and adjoining properties not currently subject to a utility corridor; and (iii) Community will not accept AmerenIP's route as shown in the community surveys that formed the basis of the Comprehensive Land Use Plan.

Q. Does this conclude your testimony?

A. Yes, at this time. The IL 71 Resistors, however, reserve the right to provide additional testimony if additional information becomes available and addresses opinions expressed above.

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